

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

AMANDA EVANS, Personal
Representative of the Estate of
Gary L. Evans,

CV 05-457-AS

Plaintiff,

ORDER

v.

MATTEL, INC., a Delaware corporation;
MATTEL OPERATIONS, INC., a Delaware
corporation; THE SAWYER COMPANY, a
Delaware corporation; SAWYER'S INC., an
Oregon corporation; GENERAL ANILINE &
FILM CORPORATION, a Delaware corporation;
GAF CORPORATION, a Delaware corporation;
G-1 HOLDINGS, INC., a Delaware corporation;
VIEW-MASTER INTERNATIONAL GROUP, INC.,
a Delaware corporation; VIEW-MASTER IDEAL
GROUP, INC., a Delaware corporation;
ARNOLD THALER, President of Thaler View-Master
Corporation; VIEW-MASTER EXPORT, LTD., an
Oregon corporation; VIEW-MASTER MANUFACTURING,
INC., an Oregon corporation; TYCO
MANUFACTURING, INC., an Oregon corporation;
TYCO TOYS, INC., a Delaware corporation;
TYCO, INC., a Delaware corporation; TYCO
INDUSTRIES, INC., a Delaware corporation; and
MATCHBOX COLLECTIBLES, INC., a Delaware corporation,

Defendants.

LARRY N. SOKOL

KARL G. ANUTA

DAVID S. FOSTER

Sokol & Anuta, P.C.
735 S.W. First Avenue
Portland, OR 97204
(503) 228-6469

KATE C. LaRICHE

735 S.W. First Avenue, 2nd Floor
Portland, OR 97204
(503) 274-0329

DONALD W. STEWART

Donald Stewart, P.C.
1131 Leighton Avenue
Anniston, AL 36207
(256) 237-9311

Attorneys for Plaintiff

MARC D. BLACKMAN

Ransom Blackman, LLP
1001 S.W. Fifth Avenue, Suite 1400
Portland, OR 97204
(503) 228-0487

KRISTIN M. KELLET

PETER HSIAO

Morrison & Foerster, LLP
555 West Fifth Street, Suite 3500
Los Angeles, CA 90013
(213) 892-5731

Attorneys for Defendants

BROWN, Judge.

Magistrate Judge Donald C. Ashmanskas issued Findings and Recommendation (#23) on June 16, 2005, in which he recommended this Court grant Defendant Mattel, Inc.'s Motion to Dismiss First Amended Complaint (#6). The matter is now before this Court

pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Ashmanskas's Findings and Recommendation (#23). Accordingly, the Court **GRANTS** Defendant Mattel, Inc.'s Motion to Dismiss First Amended Complaint.

IT IS SO ORDERED.

Dated this 25th day of August, 2005.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge